



PATENT
Docket No. 286002020023

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on August 20, 2001.

I.B.
Irina Butva

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Carol Clayberger et al.

Serial No.: 08/653,294

Filing Date: May 24, 1996

For: IMMUNOMODULATING DIMERS

Examiner: Dibrino, M.

Group Art Unit: 1644

FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
031952	
FEE CODE	VALUE FURNISHED
115	110

TRANSMITTAL

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Attached hereto for filing are the following:

1. Response to Notice of non-compliant Amendment
2. Copy of Notice of non-compliant Amendment
3. Petition for Extension of time
4. Return postcard

In the unlikely event that the Patent Office determines that extensions and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or fees due to our Deposit Account No. 03-1952 under Order No. 286002020023. The Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: August 20, 2001

By: Kate H. Murashige
Kate H. Murashige
Registration No. (29,959)

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5112
Facsimile: (858) 720-5125



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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AUG 23 2001



EXAMINER

ART UNIT	PAPER NUMBER
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#43

DATE MAILED:

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on _____ is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)
- 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)
- 5. Other. _____

PRELIMINARY AMENDMENT: Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

AMENDMENT AFTER NON-FINAL ACTION: Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner

703-308-9453



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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 CFR 1.121

Box Sequence
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed June 20, 2001, for which a response was due on July 20, 2001. A petition for extension of time of one month until August 20, 2001 is attached hereto along with the required fee. Reconsideration is respectfully requested.

Enclosed is the following Exhibit A:

Exhibit A: Marked up Version of Amendment to the Claims.